



General Assembly

**Substitute Bill No. 5536**

**February Session, 2002**

**AN ACT CONCERNING REVISIONS TO THE EDUCATION STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsection (a) of section 10-76i of the general statutes, as  
2       amended by section 12 of public act 01-173 of the June special session,  
3       is repealed and the following is substituted in lieu thereof (*Effective*  
4       *from passage*):

5       (a) There shall be an Advisory Council for Special Education which  
6       shall advise the General Assembly, State Board of Education and the  
7       Commissioner of Education, and which shall engage in such other  
8       activities as described in this section. Said advisory council shall  
9       consist of the following members: (1) Two appointed by the  
10      Commissioner of Education, one of whom shall be an official of the  
11      Department of Education and one of whom shall be a representative of  
12      an institution of higher education in the state that prepares teacher and  
13      related services personnel; (2) two appointed by the Commissioner of  
14      Mental Retardation, one of whom shall be an official of the department  
15      and one of whom shall be a person with disabilities or a parent of such  
16      a person; (3) two appointed by the Commissioner of Children and  
17      Families, one of whom shall be an official of the department and one of  
18      whom shall be a person with disabilities or a parent or foster parent of  
19      such a person; (4) one appointed by the Commissioner of Correction;  
20      (5) four who are members of the General Assembly, one appointed by  
21      the majority leader of the House of Representatives, one appointed by

22 the minority leader of the House of Representatives, one appointed by  
23 the president pro tempore of the Senate and one appointed by the  
24 minority leader of the Senate; (6) three appointed by the president pro  
25 tempore of the Senate, one of whom shall be a member of the  
26 Connecticut Association of Boards of Education, one of whom shall be  
27 a member of the Connecticut Speech-Language-Hearing Association  
28 and one of whom shall be a person with disabilities or the parent of  
29 such a person; (7) two appointed by the majority leader of the Senate  
30 one of whom shall be a person with disabilities or the parent of such a  
31 person and one of whom shall be a regular education teacher; (8) four  
32 appointed by the minority leader of the Senate, one of whom shall be a  
33 representative of a vocational, community or business organization  
34 concerned with the provision of transitional services to children with  
35 disabilities, one of whom shall be a member of the Connecticut  
36 Association of Private Special Education Facilities and two of whom  
37 shall be persons with disabilities or the parents of such persons; (9)  
38 three appointed by the speaker of the House of Representatives, one of  
39 whom shall be a member of the Connecticut Association of School  
40 Personnel Administrators and a local education official, [one] two of  
41 whom shall be [a person] persons with disabilities or [the parent of  
42 such a person and one of whom shall be a member of the literacy  
43 coalition and a person with disabilities or the parent of such a person]  
44 parents of such persons; (10) two appointed by the majority leader of  
45 the House of Representatives, one of whom shall be a person working  
46 in the field of special-education-related services and one of whom shall  
47 be a person with disabilities or the parent of such a person; (11) four  
48 appointed by the minority leader of the House of Representatives, two  
49 of whom shall be persons with disabilities or the parents of such  
50 persons, one of whom shall be a member of the Connecticut  
51 [Association of Pupil Personnel Administrators] Coalition of Pupil  
52 Services and an administrator of a program for children who require  
53 special education, and one of whom shall be a special education  
54 teacher; and (12) eight appointed by the Governor, all of whom shall  
55 be persons with disabilities or parents of such persons and one of  
56 whom shall also be associated with a charter school. The terms of the

57 present members shall expire on June 30, 1998. Appointments shall be  
58 made to the council by July 1, 1998. Members shall serve two-year  
59 terms, except that members appointed pursuant to subdivisions (1) to  
60 (4), inclusive, and (12) of this subsection whose terms commenced July  
61 1, 1998, shall serve three-year terms and the successors to such  
62 members appointed pursuant to said subdivisions shall serve two-year  
63 terms.

64 Sec. 2. Subsection (b) of section 10-27 of the general statutes, as  
65 amended by section 8 of public act 01-173, is repealed and the  
66 following is substituted in lieu thereof (*Effective from passage*):

67 (b) The Commissioner of Education, with advice from the  
68 Commissioner of Higher Education, shall establish an international  
69 education advisory committee to explore international opportunities  
70 for learning, exchange programs and the availability of curriculum  
71 materials for students, teachers, administrators and educational policy  
72 makers. The advisory committee shall investigate and compile  
73 information concerning international education programs and  
74 opportunities. The committee shall make recommendations to the  
75 [commissioner] commissioners on the expansion of international  
76 education opportunities and shall consider ways to encourage  
77 participation in such programs. The committee shall advise the  
78 Department of Education, the Department of Higher Education and  
79 the joint standing committee of the General Assembly having  
80 cognizance of matters relating to education on international program  
81 opportunities and the availability of federal or nonprofit agency  
82 funding for such programs. The [department] departments shall  
83 provide information on international education opportunities to local  
84 and regional boards of education and to institutions of higher  
85 education.

86 Sec. 3. Subsection (d) of section 10-285a of the general statutes is  
87 repealed and the following is substituted in lieu thereof (*Effective July*  
88 *1, 2002*):

89 (d) The percentage of school building project grant money a  
90 cooperative arrangement pursuant to section 10-158a, may be eligible  
91 to receive shall be determined by its ranking. Such ranking shall be  
92 determined by (1) multiplying the total population, as defined in  
93 section 10-261, as amended, of each town in the cooperative  
94 arrangement by such town's ranking, as determined in subsection (a)  
95 of this section, (2) adding the products determined under subdivision  
96 (1) of this subsection, and (3) dividing the total computed under  
97 subdivision (2) of this subsection by the total population of all towns in  
98 the cooperative arrangement. The ranking of each cooperative  
99 arrangement shall be rounded to the next higher whole number and  
100 each such cooperative arrangement shall receive the same  
101 reimbursement percentage as would a town with the same rank plus  
102 ten percentage points. On and after July 1, 2002, any cooperative  
103 arrangement, of which more than eighty per cent of the total student  
104 enrollment is from one participating district, shall not be eligible for  
105 the ten percentage points added to the reimbursement percentage  
106 pursuant to this subsection.

107 Sec. 4. Subsection (b) of section 10-226a of the general statutes is  
108 repealed and the following is substituted in lieu thereof (*Effective July*  
109 *1, 2002*):

110 (b) As used in sections 10-226a to 10-226e, inclusive, "pupils and  
111 teachers of racial minorities" means those whose [racial ancestry] race  
112 is defined as other than white, or whose ethnicity is defined as  
113 Hispanic or Latino by the federal Office of Management and Budget  
114 for use by the Bureau of Census of the United States Department of  
115 Commerce.

116 Sec. 5. Subsection (g) of section 10-17f of the general statutes is  
117 repealed and the following is substituted in lieu thereof (*Effective from*  
118 *passage*):

119 (g) The State Board of Education shall adopt regulations, in  
120 accordance with the provisions of chapter 54, to establish requirements

121 for: (1) Such programs, which may be modeled after policy established  
122 by the Department of Education for bilingual education programs; (2)  
123 local and regional boards of education to integrate bilingual and  
124 English as a second language program faculty in all staff, planning and  
125 curriculum development activities; and (3) all bilingual education  
126 teachers employed by a local or regional board of education, on and  
127 after July 1, 2001, to meet all certification requirements, including  
128 completion of a teacher preparation program approved by the State  
129 Board of Education, or to be certified through an alternate route to  
130 certification program. From the effective date of this section until July  
131 1, 2006, notwithstanding the provisions of subdivision (3) of this  
132 subsection, any person who holds a bachelor's degree but (A) has not  
133 completed an approved teacher preparation program in bilingual  
134 education, or (B) does not qualify for a cross endorsement in bilingual  
135 education shall, upon the request of an employing local or regional  
136 board of education, be granted a one-year deferral of the coursework  
137 requirements in bilingual education, if such person has demonstrated  
138 competency in English and the other language of instruction in  
139 accordance with subsection (a) of section 10-145h. Such deferrals may  
140 be renewed not more than twice upon the request of an employing  
141 local or regional board of education. At the time of each renewal, the  
142 applicant shall submit official transcripts documenting completion,  
143 since the granting of the most recent deferral or renewal, of at least six  
144 semester hours of credit in course work required for the appropriate  
145 certificate or cross endorsement in bilingual education. Persons  
146 granted such deferrals shall complete bilingual education coursework  
147 required in order to be eligible for the appropriate educator certificate  
148 or cross endorsement in bilingual education. Not later than the  
149 expiration of the third year, the certificate holder shall apply and  
150 qualify for the appropriate educator certificate or cross endorsement in  
151 bilingual education or shall not be eligible for employment as a  
152 bilingual teacher until the requirements for such certificate or cross  
153 endorsement are met.

154 Sec. 6. Subsection (d) of section 10-76d of the general statutes is

155 repealed and the following is substituted in lieu thereof (*Effective July*  
156 *1, 2003*):

157 (d) To meet its obligations under sections 10-76a to [10-76g] 10-76gg,  
158 inclusive, as amended, any local or regional board of education that is  
159 unable to provide necessary programs or services to an eligible child  
160 directly may make agreements with another [such board or subject to  
161 the consent of the parent or guardian of any child affected thereby,  
162 make agreements with any private school or with any public or private  
163 agency or institution, including a group home to provide the necessary  
164 programs or services, but no expenditures made pursuant to a contract  
165 with a private school, agency or institution for such special education  
166 shall be paid under the provisions of section 10-76g, unless (1) such  
167 contract includes a description of the educational program and other  
168 treatment the child is to receive, a statement of minimal goals and  
169 objectives which it is anticipated such child will achieve and an  
170 estimated time schedule for returning the child to the community or  
171 transferring such child to another appropriate facility, (2) subject to the  
172 provisions of this subsection, the educational needs of the child for  
173 whom such special education is being provided cannot be met by  
174 public school arrangements in the opinion of the commissioner who,  
175 before granting approval of such contract for purposes of payment,  
176 shall consider such factors as the particular needs of the child, the  
177 suitability and efficacy of the program offered by such private school,  
178 agency or institution, and the economic feasibility of comparable  
179 alternatives, and (3) commencing with the 1987-1988 school year and  
180 for each school year thereafter, each such private school, agency or  
181 institution has been approved for special education by the  
182 Commissioner of Education or by the appropriate agency for facilities  
183 located out of state, except as provided in subsection (b) of this section.  
184 Notwithstanding the provisions of subdivision (2) of this subsection or  
185 any regulations adopted by the State Board of Education setting  
186 placement priorities, placements pursuant to this section and  
187 payments under section 10-76g may be made pursuant to such a  
188 contract if the public arrangements are more costly than the private

189 school, institution or agency, provided the private school, institution or  
190 agency meets the educational needs of the child and its program is  
191 suitable and efficacious. Notwithstanding the provisions of this  
192 subsection to the contrary, nothing in this subsection shall (A) require  
193 the removal of a child from a nonapproved facility if the child was  
194 placed there prior to July 7, 1987, pursuant to the determination of a  
195 planning and placement team that such a placement was appropriate  
196 and such placement was approved by the Commissioner of Education,  
197 or (B) prohibit the placement of a child at a nonapproved facility if a  
198 planning and placement team determines prior to July 7, 1987, that the  
199 child be placed in a nonapproved facility for the 1987-1988 school year.  
200 Each child placed in a nonapproved facility as described in  
201 subparagraphs (A) and (B) of subdivision (3) of this subsection may  
202 continue at the facility provided the planning and placement team or  
203 hearing officer appointed pursuant to section 10-76h determines that  
204 the placement is appropriate. Expenditures incurred by any local or  
205 regional board of education to maintain children in nonapproved  
206 facilities as described in said subparagraphs (A) and (B) shall be paid  
207 pursuant to the provisions of section 10-76g. Any local or regional  
208 board of education may enter into a contract with] entity for the  
209 provision of such services in accordance with this subsection. The  
210 board may make agreements with (1) any other public agency,  
211 including another such board or a regional educational service center,  
212 (2) any private special education program approved by the  
213 Commissioner of Education, (3) any facility for the provision of  
214 residential services, including group home services, licensed by the  
215 appropriate state agency, (4) the owners or operators of any sheltered  
216 workshop or rehabilitation center for provision of an education  
217 occupational training program for [children requiring special  
218 education who are] a child who requires special education and who is  
219 at least sixteen years of age, provided such workshop or institution  
220 [shall have been] is approved by the appropriate state agency, [.  
221 Whenever any child is identified by a local or regional board of  
222 education as a child requiring special education and said board of  
223 education determines that the requirements for special education

224 could be met by a program provided within the district or by  
225 agreement with another board of education except for the child's need  
226 for services other than educational services such as medical,  
227 psychiatric or institutional care or services, said board may meet its  
228 obligation to furnish special education for such child by paying the  
229 reasonable cost of special education instruction in a private school,  
230 hospital or other institution provided said board or the commissioner  
231 concurs that placement in such institution is necessary and proper and  
232 no state institution is available to meet such child's needs] (5) any  
233 private agency or individual for the provision of services other than  
234 instructional services, provided the agency or individual meets any  
235 requirements for the provision of such services established pursuant to  
236 the general statutes or any regulation adopted in accordance with  
237 chapter 54, and (6) any private special education program that is not  
238 approved by the Commissioner of Education, including, but not  
239 limited to, any program or facility located outside this state, if prior to  
240 any such agreement with such program, the commissioner determines  
241 that (A) the program is appropriate for the child, and (B) no other  
242 program approved by the commissioner is appropriate for the child  
243 and available to provide the necessary services to the child. Any  
244 agreement made in accordance with this subsection shall be subject to  
245 the consent of the parent or guardian of the child if such consent is  
246 required by any state or federal statute or regulation.

247 Sec. 7. Subsection (a) of section 10-76g of the general statutes is  
248 repealed and the following is substituted in lieu thereof (*Effective July*  
249 *1, 2002*):

250 (a) (1) For the fiscal year ending June 30, 1984, and each fiscal year  
251 thereafter, in any case in which special education is being provided at  
252 a private residential institution, including the residential components  
253 of regional educational service centers, to a child for whom no local or  
254 regional board of education can be found responsible under subsection  
255 (b) of section 10-76d, the Department of Children and Families shall  
256 pay the costs of special education to such institution pursuant to its  
257 authority under sections 17a-1 to 17a-26, inclusive, as amended, 17a-28

258 to 17a-50, inclusive, as amended, and 17a-52. (2) For the fiscal year  
259 ending June 30, 1993, and each fiscal year thereafter, any local or  
260 regional board of education which provides special education and  
261 related services for any child (A) who is placed by a state agency in a  
262 private residential facility or who is placed in a facility or institution  
263 operated by the Department of Children and Families and who  
264 receives such special education at a program operated by a regional  
265 education service center or program operated by a local or regional  
266 board of education, and (B) for whom no local or regional board of  
267 education can be found responsible under subsection (b) of section 10-  
268 76d, as amended, shall be eligible to receive one hundred per cent of  
269 the reasonable costs of special education for such child as defined in  
270 the regulations of the State Board of Education. Any such board  
271 eligible for payment shall file with the state Department of Education,  
272 in such manner as prescribed by the Commissioner of Education,  
273 annually, on or before December first a statement of the cost of  
274 providing special education for such child, provided a board of  
275 education may submit, not later than [February] March first, claims for  
276 additional children or costs not included in the December filing.  
277 Payment by the state for such costs shall be made to the local or  
278 regional board of education as follows: Seventy-five per cent of the  
279 cost in February and the balance in [April] May.

280 Sec. 8. Subsections (b) and (c) of section 10-261a of the general  
281 statutes are repealed and the following is substituted in lieu thereof  
282 (*Effective July 1, 2002*):

283 (b) The Secretary of the Office of Policy and Management shall,  
284 annually, no later than the first day of August submit the equalized net  
285 grand list for each town to the [State Board] Commissioner of  
286 Education for purposes of computing the amount of grant payable to  
287 any town under the provisions of said section 10-262i.

288 (c) The Secretary of the Office of Policy and Management shall,  
289 annually, no later than the first day of May mail to the chief executive  
290 officer and the assessor in each town [and to the State Board of

291 Education,] notification concerning the equalized net grand list  
292 computed with respect to such town. Within fifteen days following  
293 receipt of such notification, any town may appeal to the secretary for a  
294 hearing concerning such equalized net grand list, provided such  
295 appeal shall be in writing and include a statement as to the reasons for  
296 such appeal. The secretary shall, within fifteen days following receipt  
297 of such appeal, grant or deny such hearing by notification in writing,  
298 including in the event of denial, a statement as to the reasons for such  
299 denial. If any town is aggrieved by the action of the secretary following  
300 such hearing or in denying any such hearing, such town may, within  
301 thirty days, appeal to the superior court for the judicial district in  
302 which such town is located. Such appeal shall be a preferred case, to be  
303 heard, unless cause appears to the contrary, at the first session, by the  
304 court. Upon all such appeals which are denied, costs may be taxed  
305 against the town at the discretion of the court, but no costs shall be  
306 taxed against the state.

307 Sec. 9. Section 10-262k of the general statutes is repealed and the  
308 following is substituted in lieu thereof (*Effective July 1, 2002*):

309 Notwithstanding any provision of the general statutes, [to the  
310 contrary,] the board of education which has jurisdiction over the  
311 schools in any town (1) with a total population, as defined in  
312 subdivision (7) of subsection (a) of section 10-261, greater than twenty  
313 thousand and (2) in which the grant mastery percentage, as defined in  
314 subdivision [(8)] (12) of section 10-262f, is greater than twenty per cent  
315 may annually apply to the Commissioner of Education, on such forms  
316 as the commissioner may prescribe, to receive not more than two per  
317 cent of the town's grant entitlement pursuant to section 10-262h, as  
318 amended, for the subsequent fiscal year for compensatory education  
319 programs. At the time of application, the board of education shall  
320 notify the board of finance in each town or city having a board of  
321 finance, the board of selectmen in each town having no board of  
322 finance or otherwise the authority making appropriations for the  
323 school district of the application. Upon submission of a timely  
324 application to the commissioner, the commissioner shall deduct such

325 amount from the payment made to the town in October of such  
326 subsequent fiscal year pursuant to section 10-262i, and the board of  
327 education shall receive a grant in such amount.

328 Sec. 10. Subsection (d) of section 10-14n of the general statutes is  
329 repealed and the following is substituted in lieu thereof (*Effective July*  
330 *1, 2002*):

331 (d) [If] Student scores on each component of the state-wide tenth  
332 grade mastery examination may be included on the permanent record  
333 and transcript of each student who takes such examination provided,  
334 for a student who meets or exceeds the state-wide mastery goal level  
335 on [each] any component of the state-wide tenth grade mastery  
336 examination, certification of [such mastery] having met or exceeded  
337 such goal level shall be made on the permanent record and the  
338 transcript of each such student and such student shall be issued a  
339 certificate of mastery for such component. Each student who fails to  
340 meet the mastery goal level on each component of said mastery  
341 examination may annually take or retake each such component at its  
342 regular administration until such student scores at or above each such  
343 state-wide mastery goal level or such student graduates or reaches age  
344 twenty-one.

345 Sec. 11. Section 10-208a of the general statutes is repealed and the  
346 following is substituted in lieu thereof (*Effective July 1, 2002*):

347 Each local and regional board of education shall honor written  
348 notice submitted by a licensed practitioner of the healing arts, as  
349 defined in section 20-1, which places physical restrictions upon any  
350 pupil enrolled in the public schools of such board of education. For  
351 purposes of this section, licensed practitioner means any person who is  
352 licensed to practice under chapter 370, 372, 373 or 375 or section 20-  
353 94a.

354 Sec. 12. (NEW) (*Effective from passage*) Each regional vocational-  
355 technical school shall provide access to directory information and on-  
356 campus recruiting opportunities to representatives of the armed forces

357 of the United States of America and state armed services to the extent  
358 necessary under federal law to prevent the loss of federal funds to such  
359 school or to the state of Connecticut. The disclosure of information  
360 pursuant to this section shall otherwise be subject to the provisions of  
361 the Freedom of Information Act, as defined in section 1-200 of the  
362 general statutes, as amended.

363 Sec. 13. Subsection (b) of section 4d-82 of the general statutes, as  
364 amended by section 5 of public act 01-173, is repealed and the  
365 following is substituted in lieu thereof (*Effective from passage*):

366 (b) The commission shall oversee the preparation and submission of  
367 a state-wide application to the federal Universal Service Fund to  
368 enhance connectivity to the Connecticut Education Network, maximize  
369 participation and grant attainment rates, and reduce overly  
370 burdensome administrative requirements which discourage local  
371 involvement. The commission shall prepare a feasibility report which  
372 sets forth (1) a review of how and under what circumstances other  
373 states have successfully submitted state-wide applications to the  
374 Universal Service Fund, (2) an analysis of what should specifically be  
375 incorporated into this state's application, and (3) an outline of  
376 necessary actions to be taken by the commission for completion of a  
377 state-wide Universal Service Fund application. The commission shall  
378 work, in consultation with the Departments of Education and Higher  
379 Education and the regional educational service centers, on the  
380 feasibility report. No later than March 31, 2001, and for every  
381 subsequent universal service funding cycle, the commission shall  
382 submit a state-wide application for universal service funds.

383 Sec. 14. Subsection (a) of section 10-4o of the general statutes, as  
384 amended by section 6 of public act 01-173, is repealed and the  
385 following is substituted in lieu thereof (*Effective from passage*):

386 (a) The Department of Education, in conjunction with the  
387 Department of Social Services, shall coordinate a family resource  
388 center program to provide comprehensive child care services, remedial

389 educational and literacy services, families-in-training programs and  
390 supportive services to parents who are recipients of temporary family  
391 assistance and other parents in need of such services. The family  
392 resource centers shall be located in or associated with public schools,  
393 and any family resource center established on or after July 1, 2000,  
394 shall be located in a public elementary school unless the Commissioner  
395 of Education waives such requirement. The commissioner shall  
396 determine the manner in which the grant recipients of such program,  
397 such as municipalities, boards of education and child care providers  
398 shall be selected. The family resource center shall provide: (1) Quality  
399 full-day child care and school readiness programs for children age  
400 three and older who are not enrolled in school and child care for  
401 children enrolled in school up to the age of twelve for before and after  
402 regular school hours and on a full-day basis during school holidays  
403 and school vacation, in compliance with all state statutes and  
404 regulations governing child day care and, in the case of the school  
405 readiness programs, in compliance with the standards set for such  
406 programs pursuant to section 10-16p, as amended; (2) support services  
407 to parents of newborn infants to ascertain their needs and provide  
408 them with referrals to other services and organizations and, if  
409 necessary, education in parenting skills; [to such parents;] (3) support  
410 and educational services to parents whose children are participants of  
411 the child care services of the program and who are interested in  
412 obtaining a high school diploma or its equivalent. Parents and their  
413 preschool age children may attend classes in parenting and child  
414 learning skills together so as to promote the mutual pursuit of  
415 education and enhance parent-child interaction; (4) training, technical  
416 assistance and other support by the staff of the center to family day  
417 care providers in the community and serve as an information and  
418 referral system for other child care needs in the community or  
419 coordinate with such systems as may already exist in the community;  
420 (5) a families-in-training program to provide, within available  
421 appropriations, community support services to expectant parents and  
422 parents of children under the age of three. Such services shall include,  
423 but not be limited to, providing information and advice to parents on

424 their [child's] children's language, cognitive, social and motor  
425 development, visiting a participant's home on a regular basis,  
426 organizing group meetings at the center for neighborhood parents of  
427 young children and providing a reference center for parents who need  
428 special assistance or services. The program shall provide for the  
429 recruitment of parents to participate in such program; and (6) a sliding  
430 scale of payment, as developed in consultation with the Department of  
431 Social Services, for child care services at the center. The center shall  
432 also provide a teen pregnancy prevention program for adolescents  
433 emphasizing responsible decision-making and communication skills.

434 Sec. 15. Subdivision (5) of section 10-160 of the general statutes, as  
435 amended by section 10 of public act 01-1 of the June special session, is  
436 repealed and the following is substituted in lieu thereof (*Effective from*  
437 *passage*):

438 (5) Prevent or minimize the potential for developmental delay in  
439 children prior to [children] their reaching the age of five.

440 Sec. 16. Subsection (c) of section 10-27 of the general statutes, as  
441 amended by section 8 of public act 01-173, is repealed and the  
442 following is substituted in lieu thereof (*Effective from passage*):

443 (c) State agencies, including the educational institutions, may  
444 exchange a limited number of professional personnel and students  
445 with institutions of other states and other countries and may pay the  
446 salaries of such personnel and may assign scholarships and grants-in-  
447 aid to the exchangees. The authorized exchange of personnel and  
448 students need not be parallel and simultaneous nor specific with  
449 regard to the assignment of persons between institutions. If a vacancy  
450 exists on the staff of any state agency, including the educational  
451 institutions, because a leave of absence without pay has been granted,  
452 such agency may engage the services of professional personnel of  
453 other countries, and may pay such personnel so engaged from the  
454 funds which otherwise would have been paid to such [personnel] staff  
455 members on leave of absence without pay.

456 Sec. 17. Section 28 of public act 01-1 of the June special session is  
457 repealed and the following is substituted in lieu thereof (*Effective from*  
458 *passage*):

459 For the fiscal years ending June 30, 2002, and June 30, 2003, the  
460 Commissioner of Education shall establish, within available  
461 appropriations and bond authorizations, a grant program to assist  
462 state charter schools in financing (1) school building projects, as  
463 defined in section 10-282, (2) general improvements to school  
464 buildings, as defined in subsection (a) of section 10-265h, and (3)  
465 repayment of debt incurred for prior school building projects.  
466 Eligibility for such grants shall be limited to state charter schools  
467 whose charters were renewed in the prior fiscal year pursuant to  
468 subsection (g) of section 10-66bb. The governing [authority] authorities  
469 of such state charter schools may apply for such grants to the  
470 Department of Education at such time and in such manner as the  
471 commissioner prescribes. Each state charter school may receive no  
472 more than one grant under this section and no grant under this section  
473 shall exceed five hundred thousand dollars.

474 Sec. 18. Subsections (b) and (c) of section 10-76i of the general  
475 statutes, as amended by section 49 of public act 01-173, are repealed  
476 and the following is substituted in lieu thereof (*Effective from passage*):

477 (b) Said advisory council shall elect annually its own chairperson  
478 and other officers as deemed necessary. The council shall meet at least  
479 once during each calendar quarter and at such other times as the  
480 chairperson deems necessary or upon the request of a majority of  
481 members in office. The State Board of Education shall meet at least  
482 annually with the council to review the state plan for the provision of  
483 special education. A majority of the members in office, but not less  
484 than ten, shall constitute a quorum. Any member who fails to attend  
485 fifty per cent of all meetings held during any calendar year shall be  
486 deemed to have resigned from office. The member appointed by the  
487 Commissioner of Education who is an official of the department shall  
488 meet with and act as secretary to the advisory council. Members of the

489 advisory council shall serve without compensation, but shall be  
490 reimbursed for all reasonable expenses incurred in the performance of  
491 their duties. The [state] Department of Education shall provide  
492 secretarial and administrative assistance to facilitate the activity of the  
493 advisory council. The Department of Higher Education shall appoint a  
494 liaison person to the advisory council.

495 (c) The advisory council shall: (1) Advise the [state] Department of  
496 Education of unmet needs in educating children with disabilities and  
497 on the administration of the provisions of sections 10-94f to 10-94k,  
498 inclusive; (2) review periodically the laws, regulations, standards and  
499 guidelines pertaining to special education and recommend to the  
500 General Assembly and the State Board of Education any changes  
501 which it finds necessary; (3) comment on any new or revised  
502 regulations, standards and guidelines proposed for issuance; (4)  
503 participate with the State Board of Education in the development of  
504 any state eligibility documents for provision of special education; (5)  
505 comment publicly on any procedures necessary for distributing federal  
506 funds received pursuant to the Individuals with Disabilities Education  
507 Act, 20 USC 1400 et seq., as from time to time amended; (6) assist the  
508 [state] Department of Education in developing and reporting such data  
509 and evaluations as may be conducted pursuant to the provisions of  
510 said act; (7) report to the General Assembly not later than January  
511 fifteenth in the odd-numbered years and not later than February  
512 fifteenth in the even-numbered years, concerning recommendations  
513 for effecting changes in the special education laws; and (8) perform  
514 any other [such] activity that is required by the Individuals with  
515 Disabilities Education Act, 20 USC 1400, et seq., as from time to time  
516 amended.

517 Sec. 19. Subsection (b) of section 58 of public act 01-173 is repealed  
518 and the following is substituted in lieu thereof (*Effective from passage*):

519 (b) The department shall report periodically, in accordance with this  
520 subsection and section 11-4a, on the study to the joint standing  
521 committee of the General Assembly having cognizance of matters

522 relating to education.

523       (1) On or before January 1, 2002, the department shall describe (A)  
524 the number and distribution of students by class in each of the regional  
525 vocational-technical schools, (B) the format and contents of the initial  
526 data base developed to carry out the study, (C) the measures, such as  
527 the scores on the state-wide tenth grade mastery examination under  
528 section 10-14n, grade point average, class rank, dropout rates, or trade  
529 specific assessment tests, selected to assess the ability of the individual  
530 components of the admissions score to predict success in the  
531 vocational-technical school, and (D) any other factors the department  
532 deems relevant to conducting the study or understanding the results of  
533 the study;

534       (2) On or before January 1, 2003, the department shall present  
535 preliminary results of the study based on data analysis through the  
536 first quarter of the school year commencing in 2002, including the  
537 relevance of the individual components of the admissions score to the  
538 assessment measures, and shall provide statistics on the number of  
539 students from each class for the classes graduating in 2003, 2004 and  
540 2005 who have withdrawn from a vocational-technical school;

541       (3) On or before January 1, 2004, the department shall (A) present  
542 final results for the class of 2003, including graduation rates and the  
543 results of the postgraduation survey, (B) using such results, predict the  
544 probability of a vocational-technical school [student] student's being  
545 successful based on the components of the student's admissions score,  
546 and (C) evaluate the results and discuss whether it feels any changes  
547 are needed in the admissions policies;

548       (4) On or before January 1, 2005, the department shall present the  
549 final results for the class of 2004, and explain any differences between  
550 said class and the class of 2003; and

551       (5) On or before January 1, 2006, the department shall (A) submit its  
552 final report, including [(A)] final results for the class of 2005, (B) using  
553 such results, predict the probability of a vocational-technical school

554 student being successful based on the elements of the student's  
555 admissions score, and (C) describe any changes it intends to make in  
556 the system's admissions policies.

557 Sec. 20. Section 60 of public act 01-173 of the general statutes is  
558 repealed and the following is substituted in lieu thereof (*Effective from*  
559 *passage*):

560 The director of each regional vocational-technical school shall meet  
561 with members of the business community within the geographic area  
562 served by the regional vocational-technical school to develop a plan to  
563 assess workforce needs and implement curriculum modifications to  
564 address those needs.

565 Sec. 21. Subdivision (1) of subsection (l) of section 10-145b of the  
566 general statutes, as amended by section 15 of public act 01-173, is  
567 repealed and the following is substituted in lieu thereof (*Effective from*  
568 *passage*):

569 (l) (1) For certified employees of local and regional boards of  
570 education, except as provided in this subdivision, each professional  
571 educator certificate shall be valid for five years and continued every  
572 five years thereafter upon the successful completion of professional  
573 development activities which shall consist of not less than ninety hours  
574 of continuing education, as determined by the local or regional board  
575 of education in accordance with this section, or documented  
576 completion of a national board certification assessment in the  
577 appropriate endorsement area, during each successive five-year  
578 period. (A) Such continuing education completed by certified  
579 employees with an early childhood nursery through grade three or an  
580 elementary endorsement who hold a position requiring such an  
581 endorsement shall include at least fifteen hours of training in the  
582 teaching of reading and reading readiness and assessment of reading  
583 performance, including methods of teaching language skills necessary  
584 for reading, reading comprehension skills, phonics and the structure of  
585 the English language during each five-year period. (B) Such continuing

586 education requirement completed by certified employees with  
587 elementary, middle grades or secondary academic endorsements who  
588 hold a position requiring such an endorsement shall include at least  
589 fifteen hours of training in the use of computers in the classroom  
590 during each five-year period unless such employees are able to  
591 demonstrate technology competency, in a manner determined by their  
592 local or regional board of education, based on state-wide standards for  
593 teacher competency in the use of technology for instructional purposes  
594 adopted pursuant to section 4d-85. (C) Such continuing education  
595 completed by (i) the superintendent of schools, and (ii) employees  
596 employed in positions requiring an intermediate administrator or  
597 supervisory certificate, or the equivalent thereof, and whose  
598 administrative or supervisory duties equal at least fifty per cent of  
599 [the] their assigned time, [of such employee,] shall include at least  
600 fifteen hours of training in the evaluation of teachers pursuant to  
601 section 10-151b during each five-year period. (D) In the case of  
602 certified employees with a bilingual education endorsement who hold  
603 positions requiring such an endorsement (i) in an elementary school  
604 and who do not hold an endorsement in elementary education, such  
605 continuing education taken on or after July 1, 1999, shall only count  
606 toward the ninety-hour requirement if it is in language arts, reading  
607 and mathematics, and (ii) in a middle or secondary school and who do  
608 not hold an endorsement in the subject area they teach, such  
609 continuing education taken on or after July 1, 1999, shall only count  
610 toward the ninety-hour requirement if it is in such subject area or  
611 areas. During each five-year period in which a professional educator  
612 certificate is valid, a holder of such certificate who has not completed  
613 the ninety hours of continuing education required pursuant to this  
614 subdivision, and who has not been employed while holding such  
615 certificate by a local or regional board of education for all or part of the  
616 five-year period, shall, upon application, be reissued such certificate  
617 for five years minus any period of time such holder was employed  
618 while holding such certificate by a local or regional board of education,  
619 provided there shall be only one such reissuance during each five-year  
620 period in which such certificate is valid. A certified employee of a local

621 or regional board of education who is a member of the General  
622 Assembly and who has not completed the ninety hours of continuing  
623 education required pursuant to this subdivision for continuation of a  
624 certificate, upon application, shall be reissued a professional educator  
625 certificate for a period of time equal to six months for each year the  
626 employee served in the General Assembly during the previous five  
627 years. Continuing education hours completed during the previous five  
628 years shall be applied toward such ninety-hour requirement which  
629 shall be completed during the reissuance period in order for such  
630 employee to be eligible to have a certificate continued. The cost of the  
631 professional development activities required under this subsection for  
632 certified employees of local or regional boards of education shall be  
633 shared by the state and local or regional boards of education, except  
634 for those activities identified by the State Board of Education as the  
635 responsibility of the certificate holder. Each local and regional board of  
636 education shall make available, annually, at no cost to its certified  
637 employees not fewer than eighteen hours of professional development  
638 activities for continuing education credit. Such activities may be made  
639 available by a board of education directly, through a regional  
640 educational service center or cooperative arrangement with another  
641 board of education or through arrangements with any continuing  
642 education provider approved by the State Board of Education. Local  
643 and regional boards of education shall grant continuing education  
644 credit for professional development activities which the certified  
645 employees of the board of education are required to attend,  
646 professional development activities offered in accordance with the  
647 plan developed pursuant to subsection (b) of section 10-220a, or  
648 professional development activities which the board may approve for  
649 any individual certified employee. Each board of education shall  
650 determine the specific professional development activities to be made  
651 available with the advice and assistance of the teachers employed by  
652 such board, including representatives of the exclusive bargaining unit  
653 for such teachers pursuant to section 10-153b. The time and location for  
654 the provision of such activities shall be in accordance with either an  
655 agreement between the board of education and the exclusive

656 bargaining unit pursuant to said section 10-153b or, in the absence of  
657 such agreement or to the extent such agreement does not provide for  
658 the time and location of all such activities, in accordance with a  
659 determination by the board of education.

660 Sec. 22. Subdivision (2) of subsection (m) of section 10-145b of the  
661 general statutes, as amended by section 53 of public act 01-173, is  
662 repealed and the following is substituted in lieu thereof (*Effective from*  
663 *passage*):

664 (2) When the Commissioner of Education is notified, pursuant to  
665 section 17a-101i, as amended, that a person holding a certificate,  
666 authorization or permit issued by the State Board of Education under  
667 the provisions of sections 10-144o to 10-149, inclusive, as amended, has  
668 been convicted of (A) a capital felony, pursuant to section 53a-54b, as  
669 amended, (B) arson murder, pursuant to section 53a-54d, (C) a class A  
670 felony, (D) a class B felony, except a violation of section 53a-122, 53a-  
671 252 or 53a-291, (E) a crime involving an act of child abuse or neglect as  
672 described in section 46b-120, or (F) a violation of section 53-21, 53-37a,  
673 53a-60b, as amended, 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88,  
674 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-  
675 217b, as amended, or 21a-278, as amended, or subsection (a) of section  
676 21a-277, any certificate, permit or authorization issued by the State  
677 Board of Education and held by such person shall be deemed revoked  
678 and the commissioner shall notify such person of such revocation,  
679 provided such person may request reconsideration pursuant to  
680 regulations adopted by the State Board of Education [.] in accordance  
681 with the provisions of chapter 54.

682 Sec. 23. Subsection (b) of section 10-155d of the general statutes, as  
683 amended by section 6 of public act 01-1 of the June special session, is  
684 repealed and the following is substituted in lieu thereof (*Effective from*  
685 *passage*):

686 (b) The Department of Higher Education, with the approval of the  
687 Commissioner of Education, shall expand, within available

688 appropriations, participation in its summer alternate route to  
689 certification program and its [week-end] weekend and evening  
690 alternate route to certification program. The department shall expand  
691 the [week-end] weekend and evening program for participants seeking  
692 certification in a subject shortage area pursuant to section 10-8b. The  
693 department, in collaboration with the Department of Education, shall  
694 develop (1) a regional alternate route to certification programs targeted  
695 to the subject shortage areas, and (2) an alternate route to certification  
696 program for former teachers whose certificates have expired and who  
697 are interested in resuming their teaching careers.

698 Sec. 24. Section 10-221l of the general statutes, as amended by  
699 section 17 of public act 01-1 of the June special session, is repealed and  
700 the following is substituted in lieu thereof (*Effective from passage*):

701 The Department of Education shall develop, within available  
702 appropriations, a State-Wide Early Reading Success Institute for  
703 educators based on the review completed by the Early Reading Success  
704 Panel pursuant to section 10-221j and the assessments conducted  
705 pursuant to section 10-221k. The institute shall commence operation in  
706 the 2000-2001 school year. The institute shall use a training curriculum  
707 that incorporates comprehensive instruction in reading as determined  
708 by the Early Reading Success Panel pursuant to section 10-221j, to  
709 include, but not be limited to: (1) Instructional strategies that can be  
710 adapted for each student's needs; (2) early screening and ongoing  
711 assessment to determine which individual students need additional  
712 instruction; (3) teaching of oral language competencies, including  
713 phonological awareness, vocabulary, listening comprehension and  
714 grammatical skills; (4) systematic teaching of word identification skills  
715 including phonics instruction and instruction in phonemic awareness;  
716 and (5) teaching of comprehension competencies, including the use of  
717 context to infer meaning.

718 Sec. 25. Subsection (c) of section 10-223b of the general statutes, as  
719 amended by section 36 of public act 01-1 of the June special session, is  
720 repealed and the following is substituted in lieu thereof (*Effective from*

721 *passage*):

722 (c) The local or regional board of education shall require the school  
723 to develop an improvement plan and take the steps necessary to  
724 become accredited by the New England Association of Schools and  
725 Colleges. The improvement plan shall be submitted to the Department  
726 of Education and the local or regional board of education. The local or  
727 regional board of education shall approve the plan before it is  
728 implemented. Upon such approval, the plan shall be implemented  
729 beginning the following school year. The improvement plan (1) may  
730 provide for site-based management of the school, (2) shall include  
731 criteria for use in measuring progress, and (3) shall be developed in  
732 consultation with the school's principal [,] and teachers and the parents  
733 of students attending the school. The Department of Education shall  
734 provide technical assistance to the school on the development of the  
735 plan and shall provide comments on the plan to the local or regional  
736 board of education prior to the board's approval of the plan. The local  
737 or regional board of education shall provide assistance to the school to  
738 improve its operation under the plan and to obtain accreditation. The  
739 commissioner may require the local or regional board of education to  
740 reallocate federal and state categorical assistance provided to the  
741 school district to implement the plan.

742 Sec. 26. Subsection (d) of section 10-265f of the general statutes, as  
743 amended by section 21 of public act 01-1 of the June special session, is  
744 repealed and the following is substituted in lieu thereof (*Effective from*  
745 *passage*):

746 (d) In the case of proposals for intensive early intervention reading  
747 programs including after-school and summer programs, the plan shall:  
748 (1) Incorporate the competencies required for early reading success,  
749 critical indicators for teacher intervention and the components of a  
750 high quality early reading success curriculum in accordance with the  
751 findings of the Early Reading Success Panel delineated in section 10-  
752 221l, as amended by this act; (2) provide for a period of time each day  
753 of individualized or small group instruction for each student; (3)

754 provide for monitoring of students and follow-up in subsequent  
755 grades, documentation of continuous classroom observation of  
756 student's reading behaviors and establishment of performance  
757 indicators aligned with the state-wide mastery examinations under  
758 chapter 163c, the findings of the Early Reading Success Panel pursuant  
759 to section 10-221j and other methodologies for assessing reading  
760 competencies established by the department pursuant to section 10-  
761 221i; (4) include a professional development component for teachers in  
762 grades kindergarten to three, inclusive, that emphasizes the teaching of  
763 reading and reading readiness and assessment of reading competency  
764 based on the findings of the Early Reading Success Panel pursuant to  
765 section 10-221j; (5) provide for parental involvement and ensure that  
766 parents have access to information on strategies that may be used at  
767 home to improve prereading or reading skills; (6) provide for data  
768 collection and program evaluation; and (7) include any additional  
769 information the commissioner deems relevant.

770 Sec. 27. Subsection (a) of section 10-266aa of the general statutes, as  
771 amended by section 29 of public act 01-1 of the June special session, is  
772 repealed and the following is substituted in lieu thereof (*Effective from*  
773 *passage*):

774 (a) As used in this section:

775 (1) "Receiving district" means any school district that accepts  
776 students under the program established pursuant to this section; [and]

777 (2) "Sending district" means any school district that sends students it  
778 would otherwise be legally responsible for educating to another school  
779 district under the program; and

780 (3) "Minority students" means students who are "pupils of racial  
781 minorities", as defined in section 10-226a.

782 Sec. 28. Subsection (b) of section 10-285a of the general statutes, as  
783 amended by section 50 of public act 01-173, is repealed and the  
784 following is substituted in lieu thereof (*Effective from passage*):

785 (b) The percentage of school building project grant money a regional  
786 board of education may be eligible to receive under the provisions of  
787 section 10-286, as amended, shall be determined by its ranking. Such  
788 ranking shall be determined by (1) multiplying the total population, as  
789 defined in section 10-261, as amended, of each town in the district by  
790 such town's ranking, as determined in subsection (a) of this section, (2)  
791 adding together the figures determined under subdivision (1) of this  
792 subsection, and (3) dividing the total computed under subdivision (2)  
793 of this subsection by the total population of all towns in the district.  
794 The ranking of each regional board of education shall be rounded to  
795 the next higher whole number and each such board shall receive the  
796 same reimbursement percentage as would a town with the same rank  
797 plus ten per cent, except that no such percentage shall exceed eighty-  
798 five per cent.

799 Sec. 29. Subsection (a) of section 2 of public act 01-165 is repealed  
800 and the following is substituted in lieu thereof (*Effective from passage*):

801 (a) Not later than July 1, 2002, the [Board] Boards of Trustees for the  
802 Connecticut Community-Technical Colleges, the Connecticut State  
803 University system, The University of Connecticut, Charter Oak State  
804 College, the Bridgeport Hospital School of Nursing and Connecticut's  
805 Independent Colleges shall develop a plan to ensure that there are  
806 articulation agreements for their nursing programs to assist nurses in  
807 advancing their education and nursing credentials.

808 Sec. 30. Section 10a-88 of the general statutes, as amended by section  
809 5 of public act 01-141, is repealed and the following is substituted in  
810 lieu thereof (*Effective from passage*):

811 There shall continue to be a Board of Trustees for the Connecticut  
812 State University System to consist of eighteen members, fourteen to be  
813 appointed by the Governor, who shall reflect the state's geographic,  
814 racial and ethnic diversity; two of whom shall be state college or  
815 Connecticut State University system alumni; and four students, one  
816 from each state university elected by the students enrolled at such state

817 university. On or before July 1, 1983, the Governor shall appoint  
818 members to the board as follows: Five members, one of whom shall be  
819 a state college or Connecticut State University system alumnus, for a  
820 term of two years from said date; five members, one of whom shall be  
821 a state college or Connecticut State University system alumnus, for a  
822 term of four years from said date, and four members for a term of six  
823 years from said date. Thereafter the Governor shall appoint members  
824 of said board to succeed those appointees whose terms expire, such  
825 members to serve for terms of six years each from July first in the year  
826 of their appointment, provided two of the members appointed for  
827 terms commencing July 1, 1995, and their successors shall be state  
828 college or Connecticut State University system alumni, one of the  
829 members appointed for a term commencing July 1, 1997, and his or her  
830 successors shall be such alumni and two of the members appointed for  
831 terms commencing July 1, 1999, and their successors shall be such  
832 alumni. On and after July 1, 1999, the board shall at all times include at  
833 least one member from each county in which a state university is  
834 located. (1) On or before November 1, 1975, the students enrolled at the  
835 institutions under the jurisdiction of the board shall, in such manner as  
836 the board determines, elect two members of the board, each of whom  
837 shall be enrolled as a full-time student at an institution under the  
838 jurisdiction of the board at the time of his or her election. One such  
839 member shall be elected for a term of one year from November 1, 1975,  
840 and one for a term of two years from said date. On or before  
841 November 1, 1976, until July 1, 1997, such students shall, in such  
842 manner as the board determines, elect one member of the board, who  
843 shall be so enrolled at any such institution at the time of his or her  
844 election and who shall serve for a term of two years from November  
845 first in the year of his or her election, except that the term of the  
846 member due to expire on October 31, 1998, shall expire on October 31,  
847 1997. (2) On and after July 1, 1997, the student members of the board  
848 shall be elected as follows: (A) (i) On or before November 1, 1997, the  
849 students enrolled at Central Connecticut State University shall, in such  
850 manner as the board determines, elect one member of the board who  
851 shall be a full-time student at [such] said state university at the time of

852 his or her election and who shall serve for a term of one year from said  
853 November first, and (ii) on or before November 1, 1998, and biennially  
854 thereafter, the students enrolled at Central Connecticut State  
855 University shall, in such manner as the board determines, elect one  
856 member of the board who shall be a full-time student at [such] said  
857 state university at the time of his or her election and who shall serve  
858 for a term of two years from November first in the year of his or her  
859 election; (B) (i) on or before November 1, 1997, the students enrolled at  
860 Eastern Connecticut State University shall, in such manner as the  
861 board determines, elect one member of the board who shall be a full-  
862 time student at [such] said state university at the time of his or her  
863 election and who shall serve for a term of one year from said  
864 November first, and (ii) on or before November 1, 1998, and biennially  
865 thereafter, the students enrolled at Eastern Connecticut State  
866 University shall, in such manner as the board determines, elect one  
867 member of the board who shall be a full-time student at said state  
868 university at the time of his or her election and who shall serve for a  
869 term of two years from the November first in the year of his or her  
870 election; (C) on or before November 1, 1997, and biennially thereafter,  
871 the students enrolled at Southern Connecticut State University shall, in  
872 such manner as the board determines, elect one member of the board  
873 who shall be a full-time student at [such] said state university at the  
874 time of his or her election and who shall serve for a term of two years  
875 from the November first in the year of his or her election; and (D) on or  
876 before November 1, 1997, and biennially thereafter, the students at  
877 Western Connecticut State University shall, in such manner as the  
878 board determines, elect one member of the board who shall be a full-  
879 time student at [such] said state university at the time of his or her  
880 election and who shall serve for a term of two years from the  
881 November first in the year of his or her election. The term of any  
882 student member of the board elected on or after November 1, 2001,  
883 shall terminate if such student member ceases to be a matriculating  
884 student in good standing, either as a full-time undergraduate student  
885 or as a full-time or part-time graduate student, at the state university  
886 from which such student member was elected. The Governor shall,

887 pursuant to section 4-9a, appoint the chairperson of the board. The  
888 board shall, biennially, elect from its members such other officers as it  
889 deems necessary. The Governor shall fill any vacancy in the appointed  
890 membership of the board by appointment for the balance of the  
891 unexpired term. Any vacancies in the elected membership of said  
892 board shall be filled by special election for the balance of the unexpired  
893 term. The members of said board shall receive no compensation for  
894 their services as such but shall be reimbursed for their necessary  
895 expenses in the course of their duties.

896 Sec. 31. Subdivision (2) of subsection (a) of section 10a-99a of the  
897 general statutes, as amended by section 6 of public act 01-141, is  
898 repealed and the following is substituted in lieu thereof (*Effective from*  
899 *passage*):

900 (2) For each of the fiscal years ending June 30, 2000, to June 30, 2014,  
901 inclusive, as part of the state contract with donors of endowment fund  
902 eligible gifts, the Department of Higher Education, in accordance with  
903 section 10a-8b, shall deposit in the Endowment Fund for the  
904 Connecticut State University system a grant in an amount equal to half  
905 of the total amount of endowment fund eligible gifts received by or for  
906 the benefit of the Connecticut State University system as a whole and  
907 each state university for the calendar year ending the December thirty-  
908 first preceding the commencement of such fiscal year, as certified by  
909 the chairperson of the board of trustees by February fifteenth to (A) the  
910 Secretary of the Office of Policy and Management, (B) the joint  
911 standing committee of the General Assembly having cognizance of  
912 matters relating to appropriations and the budgets of state agencies,  
913 and (C) the Commissioner of Higher Education, provided such sums  
914 do not exceed the endowment fund state grant maximum commitment  
915 for the fiscal year in which the grant is made. In any such fiscal year in  
916 which the total of the eligible gifts received by the Connecticut State  
917 University system as a whole and each state university [~~exceed~~]  
918 exceeds the endowment fund state grant maximum commitment for  
919 such fiscal year the amount in excess of such endowment fund state  
920 grant maximum commitment shall be carried forward and be eligible

921 for a matching state grant in any succeeding fiscal year from the fiscal  
922 year ending June 30, 2000, to the fiscal year ending June 30, 2014,  
923 inclusive, subject to the endowment fund state grant maximum  
924 commitment. Any endowment fund eligible gifts that are not included  
925 in the total amount of endowment fund eligible gifts certified by the  
926 chairperson of the board of trustees pursuant to this subdivision may  
927 be carried forward and be eligible for a matching state grant in any  
928 succeeding fiscal year from the fiscal year ending June 30, 2000, to the  
929 fiscal year ending June 30, 2014, inclusive, subject to the endowment  
930 fund state matching grant maximum commitment for such fiscal year.

931 Sec. 32. Section 10a-103 of the general statutes, as amended by  
932 section 10 of public act 01-141, is repealed and the following is  
933 substituted in lieu thereof (*Effective from passage*):

934 There shall continue to be a Board of Trustees for The University of  
935 Connecticut to consist of nineteen persons, twelve to be appointed by  
936 the Governor, who shall reflect the state's geographic, racial and ethnic  
937 diversity; two to be elected by the university alumni; two to be elected  
938 by the students enrolled at the institutions under the jurisdiction of  
939 said board; and three members ex officio. On or before July 1, 1983, the  
940 Governor shall appoint members to the board as follows: Four  
941 members for a term of two years from said date; four members for a  
942 term of four years from said date; and four members for a term of six  
943 years from said date. Thereafter the Governor shall appoint trustees of  
944 said university to succeed those appointees whose terms expire, and  
945 each trustee so appointed shall hold office for a period of six years  
946 from the first day of July in the year of his or her appointment,  
947 provided two of the trustees appointed for terms commencing July 1,  
948 1995, and their successors shall be alumni of the university, one of the  
949 trustees appointed for a term commencing July 1, 1997, and his or her  
950 successors shall be such alumni and one of the members appointed for  
951 a term commencing July 1, 1999, and his or her successors shall be such  
952 alumni. The Commissioner of Agriculture and the Commissioner of  
953 Education shall be, ex officio, members of the board of trustees. The  
954 Governor shall be, ex officio, president of said board. The graduates of

955 all of the schools and colleges of said university shall, prior to  
956 September first in the odd-numbered years, elect one trustee, who shall  
957 be a graduate of the institution and who shall hold office for four years  
958 from the first day of September succeeding his or her election. Not less  
959 than two [nor] or more than four nominations for each such election  
960 shall be made by the alumni association of said university, provided  
961 no person who has served as an alumni trustee for the two full  
962 consecutive terms immediately prior to the term for which such  
963 election is to be held shall be nominated for any such election. Such  
964 election shall be conducted by mail prior to September first under the  
965 supervision of a canvassing board consisting of three members, one  
966 appointed by the board of trustees, one by the board of directors of the  
967 alumni association of the university and one by the president of the  
968 university. No ballot in such election shall be opened until the date by  
969 which ballots must be returned to the canvassing board. In such  
970 election all graduates shall be entitled to vote by signed ballots which  
971 have been circulated to them by mail and which shall be returned by  
972 mail. Vacancies occurring by death or resignation of either of such  
973 alumni trustees shall be filled for the unexpired portion of the term by  
974 special election, if such unexpired term is for more than eighteen  
975 months. When the unexpired term is eighteen months or less, such  
976 vacancy shall be filled by appointment by the board of directors of said  
977 alumni association. On or before November 1, 1975, the students of  
978 The University of Connecticut shall, in such manner as the board of  
979 trustees of said university shall determine, elect two trustees, each of  
980 whom shall be enrolled as a full-time student of said university at the  
981 time of his or her election. One such member shall be elected for a term  
982 of one year from November 1, 1975, and one for a term of two years  
983 from said date. Prior to July first, annually, such students shall, in  
984 accordance with this section and in such manner as the board shall  
985 determine, elect one member of said board, who shall be so enrolled at  
986 said university at the time of his or her election and who shall serve for  
987 a term of two years from July first in the year of his or her election. The  
988 student member elected to fill the term expiring on June 30, 2003, and  
989 such elected member's successors shall be enrolled as full-time

undergraduate students at a school or college of the university and shall be elected by the undergraduate students of the schools and colleges of the university. The student member elected to fill the term expiring on June 30, 2004, and such elected member's successors shall be enrolled as a full-time student in the School of Law, the School of Medicine, the School of Dentistry, the School of Social Work, or as a graduate student of a school or college of the university, and shall be elected by the students of the School of Law, the School of Medicine, the School of Dentistry, the School of Social Work and the graduate students of the schools and colleges of the university. Any vacancies in the elected membership of said board shall, except as otherwise provided in this section, be filled by special election for the balance of the unexpired term.

Sec. 33. Subdivision (2) of subsection (b) of section 10a-109i of the general statutes, as amended by section 12 of public act 01-141, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) For each of the fiscal years ending June 30, 1999, to June 30, 2014, inclusive, as part of the state contract with donors of endowment fund eligible gifts, the Department of Higher Education, in accordance with section 10a-8b shall deposit in the endowment fund for the university a grant in an amount equal to half of the total amount of endowment fund eligible gifts, except as provided in this subparagraph, received by the university or for the benefit of the university for the calendar year ending the December thirty-first preceding the commencement of such fiscal year, as certified by the chairperson of the board of trustees by February fifteenth to (i) the Secretary of the Office of Policy and Management, (ii) the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, and (iii) the Commissioner of Higher Education, provided such sums do not exceed the endowment fund state grant maximum commitment for the fiscal year in which the grant is made. For the fiscal years ending June 30, 1999, and June 30, 2000, the Department of Higher Education shall deposit in the

1024 endowment fund for the university grants in total amounts which shall  
1025 not exceed the endowment fund state grant, as defined in subdivision  
1026 (7) of section 10a-109c of the general statutes, revision of 1958, revised  
1027 to January 1, 1997, and which shall be equal to the amounts certified by  
1028 the chairperson of the board of trustees for each such fiscal year of  
1029 endowment fund eligible gifts received by the university or for the  
1030 benefit of the university and for which written commitments were  
1031 made prior to July 1, 1997. For the fiscal year ending June 30, 1999, the  
1032 funds required to be deposited in the endowment fund pursuant to  
1033 this subparagraph shall be appropriated to the university for such  
1034 purpose and not appropriated to the fund established pursuant to  
1035 section 10a-8b. In any such fiscal year in which the eligible gifts  
1036 received by the university exceed the endowment fund state grant  
1037 maximum commitment for such fiscal year, the amount in excess of  
1038 such endowment fund state grant maximum commitment for such  
1039 fiscal year [,] shall be carried forward and be eligible for a matching  
1040 state grant in any succeeding fiscal year from the fiscal year ending  
1041 June 30, 1999, to the fiscal year ending June 30, 2014, inclusive, subject  
1042 to the endowment fund state grant maximum commitment for such  
1043 fiscal year. Any endowment fund eligible gifts that are not included in  
1044 the total amount of endowment fund eligible gifts certified by the  
1045 chairperson of the board of trustees pursuant to this subparagraph  
1046 may be carried forward and be eligible for a matching state grant in  
1047 any succeeding fiscal year from the fiscal year ending June 30, 2000, to  
1048 the fiscal year ending June 30, 2014, inclusive, subject to the  
1049 endowment fund state matching grant maximum commitment for  
1050 such fiscal year.

1051 Sec. 34. Section 10a-233 of the general statutes, as amended by  
1052 section 154 of public act 01-132, is repealed and the following is  
1053 substituted in lieu thereof (*Effective from passage*):

1054 The authority shall fix, revise, charge and collect fees and is  
1055 empowered to contract with any person, partnership, association or  
1056 corporation, or other body, public or private, in respect thereof. Each  
1057 agreement entered into by the authority with a participating institution

1058 or institutions for higher education shall provide that the fees and  
1059 other amounts payable by said institution or institutions with respect  
1060 to any program or programs of the authority shall be sufficient at all  
1061 times, (1) to pay its or their share of the administrative costs and  
1062 expenses of such program, (2) to pay the principal of, the premium, if  
1063 any, and the interest on outstanding bonds or notes of the authority  
1064 issued with respect to such program to the extent that other revenues  
1065 of the authority pledged for the payment of the bonds or notes are  
1066 insufficient to pay the bonds or notes as they become due and payable,  
1067 (3) to create and maintain reserves which may but need not be  
1068 required or provided for in the bond resolution relating to such bonds  
1069 or notes of the authority, and (4) to establish and maintain whatever  
1070 education loan servicing, control [,] or audit procedures are deemed to  
1071 be necessary to the operations of the authority. The authority shall  
1072 pledge the revenues from each program, as described in subsection (b)  
1073 of section 10a-230, as security for the issue of bonds or notes relating to  
1074 such program. Such pledge shall be valid and binding from the time  
1075 when the pledge is made; the revenues so pledged by the authority  
1076 shall immediately be subject to the lien of such pledge without any  
1077 physical delivery thereof or further act, and the lien of any such pledge  
1078 shall be valid and binding against all parties having claims of any kind  
1079 in tort, contract or otherwise against the authority or any participating  
1080 institution for higher education, irrespective of whether such parties  
1081 have notice thereof. Neither the bond resolution nor any financing  
1082 statement, continuation statement or other instrument by which a  
1083 pledge or security interest is created or by which the authority's  
1084 interest in revenues is assigned need be filed in any public records in  
1085 order to perfect the security interest or lien thereof as against third  
1086 parties except in the records of the authority. The authority may elect,  
1087 notwithstanding the exclusions provided in subdivision (14) of  
1088 subsection (d) of section 42a-9-109, as amended, to have the provisions  
1089 of the Connecticut Uniform Commercial Code apply to any pledge  
1090 made by or to the authority to secure its bonds or notes by filing a  
1091 financing statement with respect to the security interest created by the  
1092 pledge. The use and disposition of moneys to the credit of such sinking

1093 or other similar fund shall be subject to the provisions of the resolution  
1094 authorizing the issuance of such bonds or notes or of such trust  
1095 agreement. Except as may otherwise be provided in such resolution [,]  
1096 or such trust agreement, such sinking or other similar fund shall be a  
1097 fund for all such revenue bonds or notes issued to finance an  
1098 educational program or programs at one or more participating  
1099 institutions for higher education, without distinction or priority of one  
1100 over another; provided, the authority in any such resolution or trust  
1101 agreement may provide that such sinking or other similar fund shall  
1102 be the fund for a particular educational program or programs at a  
1103 participating institution or institutions for higher education and for the  
1104 revenue bonds or notes issued to finance a particular education  
1105 program or programs and may, additionally, permit and provide for  
1106 the issuance of revenue bonds or notes having a subordinate lien in  
1107 respect of the security herein authorized to other revenue bonds or  
1108 notes of the authority and, in such case, the authority may create  
1109 separate or other similar funds in respect of such subordinate lien  
1110 bonds or notes.

1111 Sec. 35. Subsection (a) of section 10-183v of the general statutes is  
1112 repealed and the following is substituted in lieu thereof (*Effective July*  
1113 *1, 2002*):

1114 (a) Except as provided in subsection (b) of this section, a former  
1115 teacher receiving retirement benefits from the system may not be  
1116 employed in a teaching position receiving compensation paid out of  
1117 public money appropriated for school purposes except that such  
1118 former teacher may be employed temporarily in such a position and  
1119 receive no more than forty-five per cent of the [entry-level salary for  
1120 the assigned subject area for such compensation] average annual  
1121 salary such former teacher earned. The Commissioner of Education  
1122 may waive such salary limitation at the request of the local or regional  
1123 board of education for former teachers working in shortage areas  
1124 pursuant to section 10-8b in an emergency situation or an  
1125 administrative position, as determined by the commissioner. The  
1126 commissioner shall notify the board of any such waiver. Temporary

1127 employment means employment [for less than a school year] (1) under  
 1128 a renewable contract lasting no more than one year, and (2) for which  
 1129 the former teacher does not accrue credited service under the teacher  
 1130 retirement system. Notice of such employment shall be sent monthly  
 1131 to the board by the employing officials and by the retired teacher at the  
 1132 end of each assignment.

1133 Sec. 36. Section 10-145d of the general statutes is amended by  
 1134 adding subsection (f) as follows (*Effective from passage*):

1135 (NEW) (f) From the effective date of this subsection through June 30,  
 1136 2003, an endorsement to teach elementary education shall be valid for  
 1137 grades kindergarten to six, inclusive, and an endorsement to teach  
 1138 comprehensive special education shall be valid for grades  
 1139 kindergarten to twelve, inclusive.

1140 Sec. 37. Section 10-320b of the general statutes is amended by  
 1141 adding subsections (f) and (g) as follows (*Effective October 1, 2002*):

1142 (NEW) (f) The Connecticut Historical Commission shall adopt  
 1143 regulations in accordance with the provisions of chapter 54 of the  
 1144 general statutes to carry out the provisions of subdivisions (2) and (4)  
 1145 of subsection (b) of this section.

1146 (NEW) (g) The actions of the Connecticut Historical Commission  
 1147 pursuant to subdivisions (2) and (4) of subsection (b) of this section  
 1148 and actions taken to augment the state register of historic places, as  
 1149 defined in section 10-320c of the general statutes, shall be subject to the  
 1150 provisions of chapter 54.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>July 1, 2003</i>

Sec. 7	July 1, 2002
Sec. 8	July 1, 2002
Sec. 9	July 1, 2002
Sec. 10	July 1, 2002
Sec. 11	July 1, 2002
Sec. 12	from passage
Sec. 13	from passage
Sec. 14	from passage
Sec. 15	from passage
Sec. 16	from passage
Sec. 17	from passage
Sec. 18	from passage
Sec. 19	from passage
Sec. 20	from passage
Sec. 21	from passage
Sec. 22	from passage
Sec. 23	from passage
Sec. 24	from passage
Sec. 25	from passage
Sec. 26	from passage
Sec. 27	from passage
Sec. 28	from passage
Sec. 29	from passage
Sec. 30	from passage
Sec. 31	from passage
Sec. 32	from passage
Sec. 33	from passage
Sec. 34	from passage
Sec. 35	July 1, 2002
Sec. 36	from passage
Sec. 37	October 1, 2002

**ED** Joint Favorable Subst.

**LM** Joint Favorable